

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NOT FOR PUBLICATION

KEITH BROWN,

Plaintiff,

-against-

CITY OF NEW YORK; POLICE DEPARTMENT,

Defendants.

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LaSHANN DeARCY HALL, United States District Judge:

**MEMORANDUM
AND ORDER**

17-CV-05835 (LDH)(LB)

Plaintiff Keith Brown, appearing pro se, commenced this action pursuant to 42 U.S.C. § 1983 alleging a violation of his constitutional rights during an arrest. By Order dated April 10, 2018, Plaintiff's request to proceed *in forma pauperis* was granted, the claims against the City of New York and the New York City Police Department were dismissed, and Plaintiff was afforded thirty (30) days to file an amended complaint. The Order further stated that if Plaintiff failed "to file an amended complaint or otherwise comply with this Order within the time allowed, the action shall be dismissed and judgment shall enter." Plaintiff has not responded to the Court's Order and the time for doing so has passed.

Accordingly, the complaint is hereby dismissed as set forth in the Court's April 10, 2018 Order. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for purpose of an appeal. *Coppedge v. U.S.*, 369 U.S. 438, 444–45 (1962). The Clerk of Court is directed to enter judgment and close this case.

Dated: Brooklyn, New York
May 17, 2018

SO ORDERED:

/s/LDH
LASHANN DEARCY HALL
United States District Judge